REMARKS

Claims 4, 6, 7, 15, 17, 18 and 22-25 have been cancelled, without prejudice. Claims 1-3, 5, 8-14, 16, 18 and 21 have been amended to better define the invention over the prior art cited in the Office Action and European Search Report. Specifically, independent claims 1 and 11 have been amended to specify that the system comprises a plurality of transmitters, each of which transmitters being configured to transmit a signal comprising a unique associated identification code, and a plurality of receivers each of which receivers being configured to receive one of said unique signals whereby to establish a comparison indication based on a comparison of said unique identification code with a unique reference code. Independent claims 1 and 11 also have been amended to specify that the receiver contains programmable memory and a user interface to program said memory. Neither Radomsky et al. (US Patent No. 6,211,790) nor any of the art cited by EPO search contain this specific feature.

Further, the rejection of claims 1-6, 11-17 and 21-24 under 35 USC § 102(b) as being anticipated by Radomsky et al. is improper because Radomsky does not disclose every element of Applicant's invention. Radomsky et al. requires two transmitters while Applicant's invention needs only a single transmitter and a single matched receiver. In Radomsky's identification system, both the mother and infant have a transmitter (ID badge). Each of these ID badges sends an identification signal to a central receiver that matches the identification codes (as shown in Figure 2; col. 6, lines 5-19). However, Applicant's invention only requires a transmitter on the infant and not one on the mother. See claims 1 and 11. Thus, Radomsky et al. does not anticipate Applicant's invention.

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Claims 2-6, 12-14 and 21 depend directly or indirectly on claims 1 or 11, and are allowable for the same reasons as stated above, as well as for their own additional limitations.

Now turning to the rejection of claims 7-10, 18-20 and 25 under 35 USC § 103(a) as being obvious in view of Radomsky et al., claims 7, 18 and 25 have been cancelled. As for the remaining claims, this rejection is in error for the aforementioned reasons. Radomsky et al. requires two transmitters for his infant-mother matching system to work, while Applicant's invention only requires one transmitter-receiver pair. It would not be obvious to a person having ordinary skill in the art at the time of the invention to use only one transmitter instead of two. Thus, this rejection is improper.

Pursuant to 37 CFR 1.121, a marked copy of the amended claims showing the changes made therein accompanies this Amendment.

It is believed therefore, the Application now is in order for allowance. Early and favorable action are respectfully requested.

In the event there are any fee deficiencies or additional fees are payable, please charge them (or credit any overpayment) to our Deposit Account No. 08-1391.

Respectfully submitted,

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on November 7, 200, at Tucson, Arizona.

By

MARKED AMENDED CLAIMS

Serial No. 09/883,703
Docket No.: SCP 00.01

MARKED AMENDED CLAIMS SHOWING CHANGES MADE

1. (Amended) An identification system comprising:

[at least one transmitter] a plurality of transmitters, each of which transmitters being configured to transmit a signal comprising [an] a unique identification code; and

[at least one receiver] a plurality of receivers, each of which receivers being configured to receive [said signal and] one of said unique signals whereby to establish a comparison indication based on comparison of said unique identification code with a unique reference code[.];

wherein said receiver comprises programmable memory for storing said unique reference code and said receiver includes a user interface configured to program said memory.

2. (Amended) The identification system of claim 1, wherein said comparison indication is positive if said unique identification code matches said unique reference code.

3. (Amended) The identification system of claim 1, wherein said comparison indication is negative if said unique identification code matches said unique reference code.

5. (Amended) The identification system of claim [4] 1, wherein each of said [receiver] receivers further comprises a controller and an indicator, said controller being configured to communicate with said indicator, wherein said indicator provides said comparison indication based on comparison of said unique identification code with said unique reference code stored in said memory.

8. (Amended) The identification system of claim 1, wherein at least one of said [receiver] receivers is mounted to a fixed structure.

9. (Amended) The identification system of claim [7] 1, wherein said fixed structure is a wall.

10. (Amended) The identification system of claim 1, wherein said unique reference code is the same as said unique identification code.

11. (Amended) An apparatus for identifying an infant-mother match from amongst several matches, comprising:

[at least one transmitter] a plurality of transmitters, each of which transmitters being configured to transmit a unique signal comprising [an] a unique associated identification code for [an associated] a specific infant; and

[at least one receiver] a plurality of receivers, each of which receivers being configured to receive [said signal and] one of said unique signals whereby to establish a comparison indication based on comparison of said unique identification code with a unique reference code[.] ;

wherein said receiver comprises programmable memory for storing said unique reference code and said receiver includes a user interface configured to program said memory.

12. (Amended) The apparatus of claim 11, wherein at least one of said [transmitter] transmitters is coupled to an identification band, [and said] which identification band in turn is coupled to said associated infant.

13. (Amended) The apparatus of claim 11, wherein said comparison indication is positive if said unique identification code for said associated infant matches said unique reference code for a mother of said infant.

14. (Amended) The apparatus of claim 11, wherein said comparison indication is negative if said unique identification code for said associated infant does not match said unique reference code for a mother of said infant.

16. (Amended) The apparatus of claim [15] 11, wherein each of said [receiver]

receivers further comprises a controller and an indicator, said controller configured to communicate with said indicator, wherein said indicator provides said comparison indication based on comparison of said identification code with said reference code stored in said memory.

19. (Amended) The apparatus of claim 11, wherein at least one of said [receiver] receivers is mounted to a fixed structure.

21. (Amended) The apparatus of claim 11, and comprising two transmitters, to be worn, respectively by the mother and the infant, wherein said two transmitters transmit the same unique identification code.